



215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12473-2022
Date of decision: 23.05.2024

SANJEEV KUMAR @ HEERA AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Satbir Rathore, Advocate and
Mr. Vinod Pundir, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Dinesh Nagar, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. Present petition has been filed under Section 482 Cr.P.C. seeking quashing of complaint No.34 dated 14.10.2020 (Annexure P-1) under Section 12 of Protection of Women from Domestic Violence Act, 2005 titled as '*Kiran Bala vs. Ravinder Kumar and others*' pending in the Court of learned JMIC Dasuya, District Hoshiarpur and summoning order dated 14.10.2020 (Annexure P-2), vide which, the petitioners have been summoned by learned JMIC Dasuya along with all subsequent proceedings qua the petitioners.

2. In view of the settled law pronounced by the Hon'ble Supreme Court in *Kunappareddy Vs. Kunappareddy Swarna Kumari (2016) 11 SCC 774*, Full Bench of Madras High Court in *Arul Daniel and others Vs. Suganya, 2022 SCC Online Mad 5435* and by the Co-ordinate Bench of this Court in *Jaspal Kaur alias Pinki and others Vs. State of Punjab and others* in

CRM-M-19553-2023 decided on 24.04.2023, the provisions of the Code of Criminal Procedure, 1973 cannot be invoked to challenge proceedings emerging out of Protection of Women against Domestic Violence, 2005.

3. In view of the above, present petition stands disposed of being not maintainable. However, liberty is granted to the petitioners to invoke alternative appropriate remedy on the same cause of action in accordance with law for redressal of grievances raised in the present petition.

May 23, 2024

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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No